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D6 CV 4238(JBW)

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IN CLERK'S OFFICE
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BROOKLYN OFFICE

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

10 WILLIAM O'BRIEN,

Case No. C 06 1162 JSW

11 Plaintiff,

STIPULATION AND REQUEST FOR
VOLUNTARY DISMISSAL OF ENTIRE
ACTION

13 ELI LILLY AND COMPANY,

AND ORDER THEREON
HON. JEFFREY S. WHITE

14 Defendants.

15 Pursuant to Fed.R.Civ.Pro. 41(a), Plaintiff requests dismissal without prejudice of the entire
16 action. Defendant ELI LILLY AND COMPANY, having filed an answer in this action, stipulate to
17 that dismissal.

18 Dated: _____

Dated: 8/7/06

19 LEVIN SIMES KAISER & GORNICK LLP

REED SMITH LLP

21 Emily Charley
22 Attorneys for Plaintiff

James M. Wood
Nadia M. Bishop
Dana M. Reedy
Attorneys for Defendants
ELI LILLY AND COMPANY

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26 Dated: August 8, 2006

The Honorable Jeffrey S. White
United States District Court Judge